

REMARKS

Initially, Applicants would like to thank Examiner Kasture for granting an interview and for his time spent during the interview. Applicants would also like to thank Supervisory Examiner Kramer for attending the interview and for his input during the interview.

The application has been amended as discussed during the interview to place it in condition for allowance at the time of the next Official Action.

Claims 1, 2, 4-12, 14, 16, 18, 19 and 21 are pending in the application.

As agreed at the interview the amendments to claim 1 and 6 overcome the 35 USC 112, second paragraph rejection and withdrawal of the same is respectfully requested.

Claims 1, 2, 4, 5, 7, 8, 10, 12, 14, 16 and 18 were rejected under 35 USC 102(b) as being anticipated by EMMONS 1,006,540. That rejection is respectfully traversed.

Claim 1 is amended to clarify the operation of the pilot valve and recites the pilot valve being configured to open when the liquid level in the second chamber 310 is sufficiently high to trigger a pressurisation of the chamber of the first container and to close in response to the liquid level in the second container falling below a second predetermined level,. Support for the amendment can be found at least in paragraphs

[0039] and [0040] of the published application (see also page 7, line 18 to page 8, line 14 of the application as filed.

As agreed at the interview, in contrast, a high water level in EMMONS causes the float of EMMONS to rise and close valve 20 (see page 2, lines 44-46), and the valve 20 is opened when the water level falls (see page 2, lines 72-80).

Thus, the EMMONS pump appears to operate on the opposite principles to that of the presently recited invention.

In view of the above, it is apparent that EMMONS does not disclose each of the recited elements, and thus, EMMONS is not anticipatory.

Independent claim 10 is amended to include a similar feature and the analysis above regarding claim 1 is equally applicable to claim 10.

The dependent claims are believed patentable at least for depending from allowable independent claims.

Claims 9 and 11 were rejected under 35 USC 103(a) as being unpatentable over EMMONS. That rejection is respectfully traversed.

Claims 9 and 11 depend from claim 1 and 10 respectively and further define the invention and are believed patentable over EMMONS at least for depending from an allowable independent claim.

Claims 6 and 19 were rejected under 35 USC 103(a) as being unpatentable over EMMONS in view of JURGEN 5,582,469. That rejection is respectfully traversed.

Claim 6 is amended along the lines of claim 1 and the analysis above regarding claim 1 is equally applicable to claim 6. JURGEN is only cited with respect to a non-return valve. As agreed at the interview, JURGEN does not overcome the shortcomings of EMMONS noted above.

Claim 19 is believed to be patentable at least for depending from allowable independent claim 1.

Claim 21 was rejected under 35 USC 103 (a) as being unpatentable over NEWHOUSE 1,628,608 in view of EMMONS. That rejection is respectfully traversed.

NEWHOUSE is only cited for a container capable of using steam as the motive fluid. As agreed at the interview, NEWHOUSE does not overcome the shortcomings of EMMONS set forth above with respect to claim 1. Since claim 21 depends from claim 1 and further defines the invention, claim 21 is believed to be patentable at least for depending from an allowable independent claim.

In view of the present amendment and the foregoing Remarks, it is believed that the present application has been placed in condition for allowance. Favorable reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Liam McDowell/

Liam McDowell, Reg. No. 44,231  
209 Madison Street, Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

LM/jr